

FILED

UNITED STATES COURT OF APPEALS

JAN 11 2012

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BRENT ROGER WILKES,

Defendant - Appellant.

No. 11-50152

D.C. No. 3:07-cr-00330-LAB-1
Southern District of California,
San Diego

ORDER

On December 29, 2011, an order was issued in No. 08-50063 denying the appellant's petition for rehearing en banc.

On January 3, 2012, an order in No. 08-50063 granted the stay of the mandate pending the filing for writ of certiorari in the United States Supreme Court.

Therefore the appellant's motion to stay appellate proceedings in No. 11-50152 pending the outcome of No. 08-50063 is granted in part. Appellate proceedings are stayed until April 5, 2012.

At or prior to the expiration of the stay of appellate proceedings, the appellant shall file the opening brief or file a motion for appropriate relief. If the

No. 11-50152

opening brief is filed, the answering brief is due May 7, 2012. The optional reply brief is due within 14 days after service of the answering brief.

In the absence of a motion, the stay of appellate proceedings will terminate without further notice.

For the Court:

MOLLY C. DWYER
Clerk of Court

Grace S. Santos
Deputy Clerk
Ninth Circuit Rule 27-7/Advisory Note to Rule 27
and Ninth Circuit 27-10